

## **II. RELATED APPEALS AND INTERFERENCES**

There are no appeals, interferences or judicial proceedings known to the Appellant, the Appellant's legal representative, or the Assignee which may be related to, directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

## **III. STATUS OF CLAIMS**

Claims 1-9 have been cancelled. Claims 10-20 are pending in this application. Claims 10-20 have been rejected and are the subject of this appeal.

## **IV. STATUS OF AMENDMENTS**

An amendment after final rejection was filed on February 26, 2009. It has been acted upon and entered.

## **V. SUMMARY OF CLAIMED SUBJECT MATTER**

A concise explanation of the subject matter defined in each of the independent claims involved in the appeal now follows:

The invention relates to a multi wall sack-like packaging medium for particulated materials, especially powdery materials. *Specification, 1:2-5.*

The invention is a multilayer, sack-like packaging medium 1, *Specification, 2:1-2; Fig. 1.* The packaging medium has a broad rear side 2 and a front side 3. *Id., 2:3.* The sides 2, 3 are joined by narrow side areas 4, 5. *Id., 2:4.* The packaging medium 1 is closed at the upper

end 6 and lower end 7. *Id.*, 2:5. An opening 8 is provided for filling at the upper end 6. *Id.*, 2:5-6.

The packaging medium 1 has an inner wall 9 that is made of an air-permeable material. *Id.*, 2:7-8. It is surrounded by an outer wall 10 of an air-impermeable material. *Id.*, 2:8-9; *Figs. 1-2*.

Independent claim 10 has sub-elements a-f, which are respectively depicted in *Figs. 1-2* and are summarized below.

- a) On at least one of the sides 2, 3, layers of the outer wall 10 overlap to form a subregion of up to 50% of the total area of the side to form an overlap region 11.
- b) In that region, only the inner layer 10a of the outer wall 10 is perforated.
- c) The overlap region 11 has edges 12, 13 that terminate the inner and outer layers 10a, 10b of the outer wall 10. The edge 12 is joined by seam 14 to the underlying inner layer 10a. The edge 13 is joined by seam 15 to the overlaying layer 10b.
- d) At one or both edges 12, 13 of the overlap region 11, the seam on the respective edge 12 (for example) is interrupted over a continuous region 16. The interruption extends 10 to 50% of the total length of the seam 14. This allows gas exiting the sack through perforations to pass.
- e) From 10 to 50% of the area of the overlap region is provided with perforations in the inner layer 10a.
- f) Preferably, a distance of 0.5 to 10 cm from the edges 12, 13 of the overlap region at which the seam is interrupted 16 is maintained free of perforations. Upon filling the sack, the two layers 10a, 10b lying one above the other in the overlap region 16 bear against each other.

Thus, during a filling step, air can emerge quickly, in spite of the outer wall 10 being made of plastic. *Id.*, 4:30-32. During storage of the filled sacks, the opening 16 in the